

REMARKS

Claims 1, 2, 22, 35-38, 40-42, 47-57 and 59 are now pending in the application. Claims 19-21, 43-46 and 58 are cancelled herein. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

WITHDRAWAL OF ALLOWABLE SUBJECT MATTER

The office action states that the indicated allowable subject matter of claims 43-46 is withdrawn. Although Applicant does not necessarily agree, these claims are cancelled as discussed below.

REJECTION UNDER 35 U.S.C. § 103

Claims 1, 2, 40-46 and 58 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukano (JP 63-141750) in view of Fujii (U.S. Pat. No. 6,299,277). This rejection is respectfully traversed. Notwithstanding and solely in the interest of expedited prosecution, Applicant amends claim 1 to recite the allowable subject matter of claim 21 as well as intervening claims 19 and 20. Accordingly, the rejection of claim 1 is moot. Claims 2 and 40-42 depend from claim 1 and should be allowable as depending from an allowable base claim. Claims 43-46 and 58 are cancelled without prejudice.

Claims 19 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukano (JP 63-141750) as modified by Fujii (U.S. Pat. No. 6,299,277) as applied to claim 1, and further in view of Takazawa et al. (U.S. 2002/0018090). This rejection is

respectfully traversed. Notwithstanding, claims 19 and 20 are cancelled and the subject matter therein is now recited in claim 1. Accordingly, this rejection is moot.

Claim 22 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukano (JP 63-141750) as modified by Fujii (U.S. Pat. No. 6,299,277) and Takazawa et al. (U.S. 2002/0018090) as applied to claim 19 above, and further in view of Usui (U.S. Pat. No. 6,820,955). This rejection is respectfully traversed. Claim 22 depends from claim 1 which defines allowable subject matter. Therefore, claim 22 also defines allowable subject matter.

Claims 35-38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukano (JP 63-141750) as modified by Fujii (U.S. Pat. No. 6,299,277), Takazawa et al. (U.S. 2002/0018090) and Usui (U.S. Pat. No. 6,820,955) as applied to claim 22 above, and further in view of Yamaguchi et al. (U.S. Pat. No. 5,379,061). These rejections are respectfully traversed. Claims 35-38 depend from claim 1 which defines allowable subject matter. Therefore, claims 35-38 also define allowable subject matter.

ALLOWABLE SUBJECT MATTER

The office action states that claims 21 and 47-51 would be allowable if rewritten in independent form. Accordingly, Applicant amends claim 1 to include the limitations of claim 21 and intervening claims 19 and 20. Therefore, claim 1 should now be in condition for allowance. Claims 19-21 are cancelled. Claims 47-51 depend from claim 1. Therefore, claims 47-51 should also be in condition for allowance.

Applicant acknowledges with thanks the allowance of claims 52-57 and 59.

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Reasons for allowance are only warranted in instances in which “the record of the prosecution as a whole does not make clear the [Examiner’s] reasons for allowing a claim or claims.” 37 C.F.R. 1.104 (e). In the present case, Applicant believes the record as a whole makes clear the reasons for allowance and therefore no statement by the Examiner is necessary or warranted, especially since the statement may unfairly focus on certain reasons for allowance which are not reflected by the prosecution history. Therefore, the record should reflect that Applicant does not necessarily agree with each statement in the reasons for allowance. For example, while Applicant believes the claims are allowable, Applicant may not unequivocally agree that patentability resides solely in the specific feature or combination of features identified, or that each feature or combination of features identified is required for patentability, or that equivalents of any of the recited features are outside the scope of the claims. Moreover, to the extent the reasons for allowance do not separately address the subject matter of all the claims, Applicant does not acquiesce to any inference that the non-addressed claims fail to present other reasons for patentability apart from the patentability of the claims which were specifically addressed by the Examiner.

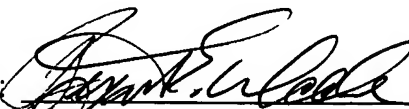
CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office

Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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